

Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1036

AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 9-25-10 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]:

Chapter 10. Previously Uninsured Motorist Registry

Sec. 1. As used in this chapter, "conviction" refers to a conviction for operating a motor vehicle without financial responsibility in violation of IC 9-25.

Sec. 2. As used in this chapter, "previously uninsured motorist" refers to a person:

- (1) against whom a judgment is entered for; or
- (2) who is convicted of;

operating a motor vehicle without financial responsibility in violation of IC 9-25 after December 31, 2009.

Sec. 3. As used in this chapter, "registry" refers to the electronic registry of previously uninsured motorists established under section 4 of this chapter.

Sec. 4. The bureau shall, not later than January 1, 2010, establish an electronic registry of previously uninsured motorists to facilitate the random and periodic verification by the bureau of compliance with IC 9-25.

Sec. 5. The bureau shall adopt rules under IC 4-22-2 to implement this chapter. Rules adopted under this section must do

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the following:

- (1) Establish the method of random selection of names of previously uninsured motorists from the registry.
- (2) Establish the methods by which the bureau may request evidence of financial responsibility from a previously uninsured motorist whose name was randomly selected from the registry.
- (3) Establish the methods by which a previously uninsured motorist may respond to the bureau's request for evidence of financial responsibility.
- (4) Establish a schedule for the entry, updating, and timely removal of names on or from the registry.

Sec. 6. The failure by a previously uninsured motorist to respond to the bureau's request for verification of financial responsibility under this chapter constitutes prima facie evidence of operating a motor vehicle without financial responsibility in violation of IC 9-25.

Sec. 7. (a) The bureau shall remove the name of a previously uninsured motorist from the registry not more than five (5) years after the date on which the judgment or conviction for which the motorist's name is maintained on the registry was entered against the motorist.

(b) If a previously uninsured motorist is convicted of a second or subsequent offense under IC 9-25, the bureau shall remove the motorist's name from the registry not more than five (5) years after the date on which the second or subsequent conviction is entered.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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